

U.S. Application No. 09/765,670

Docket No. 0649-0769P

Filed: October 26, 2004

Art Unit: 2663

Page 27 of 36

**REMARKS**

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-14 remain pending. Of the pending claims, claims 1, 2 and 14 are independent.

**ALLOWABLE SUBJECT MATTER**

Applicants appreciate that the claims 3-6 and 8-9 are indicated to define allowable subject matter.

**OBJECTION TO THE SPECIFICATION**

The Specification is objected to for informalities. More specifically, the Abstract of the Disclosure is objected to due to an error in a reference numeral. A replacement Abstract is attached hereto to address this objection.

The Disclosure is objected to for informalities. See *Office Action, page 2, Item 2*. The Specification has been amended as suggested to address all of the particular objections with the exception of the following. The Examiner asserts that the phrase "low" should be "high" on line 10 of page 4. Applicants respectfully disagree.

In the paragraph beginning on line 9 of page 4 of the Disclosure, it is noted that the related art, as shown in Figure 6, handles both low definition and high definition video signals. To handle the low-definition video, one module of the coding unit is provided and to handle high-definition video, two or more modules of the coding units are provided. The particular line referred to describes the situation regarding low-definition mode in which one module is provided. Therefore, the phrase "low" is correct.

Applicants respectfully request that the objections to the Disclosure to withdrawn.

#### DRAWINGS

The drawings are objected to for informalities. More specifically, Figures 5 and 6 are objected to for not including a proper legend. Figures 5 and 6 have been amended to include the legend "Related Art" to address this issue.

Figure 1 is objected to for including references not mentioned in the description. References 211, 221, and 231 of Figure 1 has been deleted to address this objection.

Further, Figure 4 was objected to for failing to mention reference 1 in the description. The Specification has been amended to describe numeral 1 as representing a media data coding and multiplexing apparatus, to address this objection.

Applicants respectfully request that the objections to the drawings be withdrawn.

OBJECTION TO THE CLAIMS

Claims 6-9 and 10-13 are objected to for informalities. See *Office Action*, page 3, Item 5. These claims have been amended as suggested to address this objection.

Applicants respectfully request that the objections to the claims 6-9 and 10-13 be withdrawn.

§ 112, 2ND PARAGRAPH REJECTION

Claims 3-6 and 8-13 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. See *Office Action*, page 4, Item 7. These claims have been amended to address this rejection.

Applicants respectfully request that the rejection of claims 3-6 and 8-13 under § 112, second paragraph be withdrawn.

§ 102 REJECTION - MURAKAMI

Claims 1 and 14 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Murakami, et al. (USP 5,671,226, hereinafter "Murakami"). Applicants respectfully traverse.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. See *M.P.E.P.* 2131; *M.P.E.P.* 706.02. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Murakami fails to teach or suggest each and every claimed element. For example, independent claim 1 recites, in part, "a parameter setting section for selectively adding a parameter to the multiplexed packet string **output** from the multiplexing section to output an output multiplex stream." Independent claim 14 recites a similar feature. As will be demonstrated below, Murakami cannot be relied upon to teach or suggest at least this feature.

In the Office Action, the Examiner asserts that the packet multiplexing section 2a as disclosed in Murakami is equivalent to the multiplexing section as claimed. See *Office Action*, page 5, line 1; also see *Murakami*, Figure 2. The Examiner also

asserts that the element packet generating portion 10a is equivalent to the parameter setting section as claimed. See *Office Action*, page 5, lines 6-10.

First, Applicants do not agree that the packet generating portion 10a is equivalent to the parameter setting section as claimed. Murakami discloses that the packet generating portion 10a receives the video coded bits sequence 111 for output from the video coding portion 9a, generates element packets 12 (See *Figure 3 and column 14, lines 24-34*) and outputs the result to the packet generating portion 233. Applicants note that Murakami is entirely silent regarding whether the packet generating portion 10a add a parameter to the element packet 12. Therefore, the packet generating portion 10a cannot be equivalent to the parameter setting section as claimed.

Also, even if it is unreasonably assumed that the element packet generating portion 10a is equivalent to the parameter setting section as claimed, it is noted that the flow of information, as disclosed in Murakami, is from the element packet generating portion 10a to the packet multiplexing section 2a. In other words, the alleged equivalence of the multiplexing section receives outputs from the alleged parameter setting

section. This is completely contrary to the claimed recitation where the multiplexing section outputs to the parameter setting section.

For at least the above stated reasons, independent claims 1 and 14 are distinguishable over Murakami. Applicants respectfully request that the rejection of claims 1 and 14, based on Murakami, be withdrawn.

§ 103 REJECTION - MURAKAMI

Claims 10-13 stand rejection under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murakami. Applicants respectfully traverse.

It has been shown above that claim 1 is distinguishable over Murakami. Claims 10-13 depend from independent claim 1. Therefore, for at least the dependency thereon to claim 1, claims 10-13 are also distinguishable over Murakami.

Applicants respectfully request that the rejection of claims 10-13, based on Murakami, be withdrawn.

§ 103 REJECTION - MURAKAMI, RELATED ART

Claim 2 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murakami in view of the

related art disclosed in the Specification. Applicants respectfully traverse.

Independent claim 2 recites, in part, "a parameter setting section for selectively adding a parameter to the multiplexed packet string output from the multiplexing section and outputting an output multiplex stream." It has been shown above that Murakami cannot be relied upon to teach or suggest at least this feature.

The related art has not been, and indeed cannot be, relied upon to correct for at least this deficiency of Murakami. Therefore, independent claim 2 is distinguishable over the combination of Murakami and the related art.

Applicants respectfully request that the rejection of claim 2, based on Murakami and the related art, be withdrawn.

§ 103 REJECTION - MURAKAMI, RELATED ART, VALDEZ

Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murakami in view of the related art, and in further view of Valdez, Jr. (USP 6,426,778, hereinafter "Valdez"). Applicants respectfully traverse.

U.S. Application No. 09/765,670

Docket No. 0649-0769P

Filed: October 26, 2004

Art Unit: 2663

Page 34 of 36

It is noted that claim 7 depends from independent claim 2. It has been shown above that claim 2 is distinguishable over the combination of Murakami and the related art. Valdez has not been, and indeed cannot be, relied upon to correct at least the above noted deficiencies of Murakami and the related art. Therefore, claim 2 is distinguishable over the combination of Murakami, the related art, and Valdez.

Due to at least the dependency thereon, claim 7 is also distinguishable over the combination of Murakami, the related art, and Valdez. Applicants respectfully request that the rejection of claim 7, based on Murakami, the related art, and Valdez, be withdrawn.

#### CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.



U.S. Application No. 09/765,670

Docket No. 0649-0769P

Filed: October 26, 2004

Art Unit: 2663

Page 35 of 36

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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0649-0769P

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Attachment(s): New Abstract

Three (3) sheets of Drawings

ABSTRACT OF THE DISCLOSURE

~~Four~~—A plurality of media data coding and multiplexing apparatus ~~1 to 4~~ are connected, a video signal ~~100~~ having a large information amount is processed in parallel in the plurality of media data coding and multiplexing apparatus ~~1 to 4~~, other media data pieces of an audio signal ~~240~~ and a data signal ~~340~~ are processed in one of the plurality of the media data coding and multiplexing apparatus ~~4~~, and a multiplexing section ~~44~~ of the one of the plurality of the media data coding and multiplexing apparatus ~~4~~ combines the signals and output multiplex streams ~~119, 129, and 139~~ output from other media data coding and multiplexing apparatus ~~1 to 3~~ into one output multiplex stream ~~149~~ finally.

U.S. Application No. 09/765,670

Docket No. 0649-0769P

Filed: October 26, 2004

Art Unit: 2663

Page 26 of 36

**AMENDMENTS TO THE DRAWINGS**

Attached hereto are three (3) sheets of corrected drawings that comply with provisions of 37 C.F.R. § 1.84. The corrected formal drawings incorporate the following changes:

- In Figure 1, reference numerals 211, 221, and 231 have been deleted;
- Figure 5 has been designated as "Related Art"; and
- Figure 6 has been designated as "Related Art".

Applicants respectfully request that the corrected formal drawings be approved and made a part of the record of the above-identified application.